

CHRISTOPHER CHIOU  
Acting United States Attorney  
District of Nevada  
Nevada Bar Number 14853  
SKYLER H. PEARSON  
Assistant United States Attorney  
501 Las Vegas Blvd. So., Suite 1100  
Las Vegas, Nevada 89101  
(702) 388-6336  
[skyler.pearson@usdoj.gov](mailto:skyler.pearson@usdoj.gov)  
*Attorneys for the United States*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Robert Zappulla,  
  
Plaintiff,  
  
v.  
  
United States of America,  
  
Defendant.

Case No. 2:21-cv-00901-GMN-NJK

**ORDER GRANTING  
Stipulation to Extend Remaining  
Deadlines (First Request)**

Pursuant to LR 26-3, the parties, by and through their respective counsel of record, stipulate and request that this Court extend all remaining deadlines by ninety (90) days. This is the first request for an extension of time. This stipulation is filed more than 14 days before the next discovery deadline (the filing would have occurred 21 days prior, however, there was a delay due to the Thanksgiving holiday and related time off).

**A. Discovery Completed**

1. On May 7, 2021, Plaintiff filed his Complaint. ECF No. 1.
2. On July 13, 2021, Plaintiff filed his First Amended Complaint. ECF No. 8.
3. On August 13, 2021, the United States filed its Answer. ECF No. 9.
4. On September 22, 2021, the parties submitted a Joint Discovery Plan and Scheduling Order. ECF No. 10.
5. On September 23, 2021, the Court entered a Joint Proposed Discovery Plan and Scheduling Order. ECF No. 11.

6. On October 8, 2021, Plaintiff served his initial FRCP 26(a)(1) disclosures.

7. On October 12, 2021, the United States served its initial FRCP 26(a)(1) disclosures.

8. On October 18, 2021, Plaintiff provided an executed HIPAA release.

#### **B. Discovery Remaining**

The discovery that remains to be completed includes:

1. Written discovery.

2. Depositions of the parties, treating physicians, and other necessary third-parties.

3. Subpoena and production of additional medical records and billing.

4. Expert disclosures and depositions.

5. Any discovery contemplated under the Federal Rules of Civil Procedure.

#### **C. Reason for Requested Extension**

This case involves a motor vehicle-pedestrian accident that occurred in the parking lot of a car dealership. The parties have exchanged medical records and administrative claim records. The parties are currently attempting to obtain additional medical records, as well as other records, from third-parties. Due to two other AUSAs leaving the civil division in the next few weeks, AUSA Pearson's calendar is currently busier than normal with taking on additional cases from the departing AUSAs. Therefore, the parties seek to extend discovery ninety (90) days to give the parties ample time to obtain records and proceed with fact witness depositions before the current expert disclosure deadline of December 13, 2021. This request for an extension of time is not sought for delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient time to conduct discovery. The following is a list of the proposed extended deadlines.

#### **D. Proposed revised schedule**

	<u><b>Current Deadline</b></u>	<u><b>New Deadline</b></u>
<b>Discovery Cut-Off</b>	February 9, 2022	<b>May 10, 2022</b>
<b>Expert Disclosure Deadline</b>	December 13, 2021	<b>March 11, 2022</b>
<b>Rebuttal Expert Disclosure Deadline</b>	January 12, 2022	<b>April 11, 2022</b>

<b>Dispositive Motion Deadline</b>	March 11, 2022	<b>June 9, 2022</b>
<b>Proposed Joint Pre-Trial Order</b>	April 11, 2022	<b>July 11, 2022</b>

WHEREFORE, the parties respectfully request that this Court extend the remaining deadlines by ninety (90) days and the other dates as outlined in accordance with the table above.

DATED this 29th day of November 2021.

DATED this 29th day of November 2021.

GREENMAN GOLDBERG RABY &  
MARTINEZ

CHRISTOPHER CHIOU  
Acting United States Attorney

By: /s/ William Martin  
William Martin  
2770 S. Maryland Pkwy, Ste. 100  
Las Vegas, NV 89109  
*Attorney for Plaintiff*

By: /s/ Skyler H. Pearson  
Skyler H. Pearson  
Assistant United States Attorney  
501 S. Las Vegas Boulevard, Suite 1100  
Las Vegas, Nevada 89118  
*Attorney for the United States*

IT IS SO ORDERED:

DATED November 30, 2021

  
UNITED STATES MAGISTRATE JUDGE